UNITED STATES PATENT AND TRADEMARK OFFICE

NOTICE OF ALLOWANCE AND FEE(S) DUE

| 32127 | 7590 | 04/22/2008 |

VERIZON
PATENT MANAGEMENT GROUP
1515 N. COURTHOUSE ROAD, SUITE 500
ARLINGTON, VA 22201-2909

EXAMINER
OPSASNICK, MICHAEL N

ART UNIT	PAPER NUMBER
2626	

DATE MAILED: 04/22/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/656,264	09/06/2000	Richard Mark Schwartz	99-469	9095

TITLE OF INVENTION: SYSTEMS AND METHODS FOR PROVIDING AUTOMATED DIRECTORY ASSISTANCE USING TRANSCRIPTS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	$1440	$0	$0	$1440	07/22/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PTOL-85 (Rev. 08/07) Approved for use through 08/31/2010.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: <u>Mail</u>

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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

	(Depositor's name)
	(Signature)
	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/656,264	09/06/2000	Richard Mark Schwartz	99-469	9095

TITLE OF INVENTION: SYSTEMS AND METHODS FOR PROVIDING AUTOMATED DIRECTORY ASSISTANCE USING TRANSCRIPTS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	$1440	$0	$0	$1440	07/22/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
OPSASNICK, MICHAEL N	2626	704-270000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____

2 _____

3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE   (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) :   ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

☐ Issue Fee

☐ Publication Fee (No small entity discount permitted)

☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): **(Please first reapply any previously paid issue fee shown above)**

☐ A check is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____   Date _____

Typed or printed name _____   Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
OPSASNICK, MICHAEL N

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DATE MAILED: 04/22/2008

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 881 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 881 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

PTOL-85 (Rev. 08/07) Approved for use through 08/31/2010.

	Application No.	Applicant(s)
Notice of Allowability	09/656,264	SCHWARTZ ET AL.
	Examiner	Art Unit	
	MICHAEL N. OPSASNICK	2626	

*-- The **MAILING DATE** of this communication appears on the cover sheet with the correspondence address--*

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *1/16/08*.

2. ☒ The allowed claim(s) is/are *1-4,6-30 and 53-55*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None of the:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the

         International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

      Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☒ Information Disclosure Statements (PTO/SB/08),
   Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413),
   Paper No./Mail Date _____ .

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

/Michael N. Opsasnick/
Primary Examiner, Art Unit 2626
4/13/08

DETAILED ACTION

Allowable Subject Matter

1.   Claims 1-4,6-30,53-55 are allowed over the prior art of record.

2.   The following is an examiner's statement of reasons for allowance:

As per the independent claims, the combination of certain claim elements are not

explicitly taught by the prior art of record. Following below is an analysis of the deficiencies of

the prior art of record Gupta (6122361), Kahn (6122614), Cox et al (6754326):

Kahn does disclose use of pre-existing "speech recognition software" products, although

Kahn does not appear to teach or suggest using such products to generate transcripts. (E.g.,

Kahn, column 8: 15-18.) However, Kahn is directed to "[a] system for substantially automating

transcription services for multiple voice users" (Kahn, Abstract), and does not in any way teach

or suggest *"a* speech recognition module configured to receive an audible request for a telephone

number from a caller," much less "a speech recognition module configured to... generate a

transcript from the audible request," as recited in claim 1. Similarly, Kahn does not teach or

suggest "generating a transcript from the audible request," as recited in claims 17, 29, and 30.

generated by a human operator plainly would have been useless in the system of Gupta, which

uses automated speech recognition. (Gupta, Abstract.) Similarly, relying on a digital audio

file to generate a written file would have made no sense in the context of Gupta, which relies

on "a spoken utterance by the user of the automated directory assistance system." (Gupta,

column 4: 15-46.). With respect to the claim elements "retrieve a listing corresponding to the

audible request from a database... " and "retrieve a listing corresponding to the audible request"

, Gupta's Figure 3, subblocks 404-406 show process steps disclosed by Gupta in fact consist of

no more than analyzing "the number that the user dialed to obtain directory assistance." (Gupta,

column 11' 17-25.) The purpose of this analysis is to generate an orthography that has "the

highest probability of matching the spoken utterance." (Gupta, column 7: 20-22.) As noted

above, this orthography relates to a locality, and not a requested telephone number. Therefore,

referring to claim 1 as exemplary, Gupta does not teach or suggest "a listing module configured

to retrieve a listing corresponding to the audible request from a database." Furthermore, Gupta

and Kahn "does not explicitly teach storing the transcript to be used as a query." (Final Office

Action, page 3.) As per the Cox reference, Cox does not teach or suggest "the database storing

words previously included in requests for telephone numbers, as required by claim 1, 17, 29, and

30. Cox teaches maintaining "call data stored on a host computer" that: includes one or more of:

the calling telephone number, the date and time of the caller's connection to a directory's

assistant system 100, the T1 span in channel the caller is connected to, the caller's desired

destination telephone number, the status of the caller's previous directory assistance request,

which operator assisted the caller, etc. (Cox, column 7: 49-59.) Nowhere does Cox teach or

suggest that the disclosed "host computer" stores "words previously included in requests for

telephone numbers." At most, Cox discloses that call data includes items such as "the caller's

desired destination telephone number" and "the status of the caller's previous directory assistance

request," neither of which includes "words previously included in requests for telephone

numbers." For at least this reason, Cox does not compensate for the acknowledged deficiencies
of the other cited prior art, and the rejections of claims 1, 17, 29, and 30.

Furthermore, with respect to "an accept/reject module ... caller" Gupta, Figure 3, blocks 416 and
418 relate to lists of localities, i.e., identifiers for geographic areas, not listings. Moreover, even
if listings and localities were analogous, which they are not, Gupta does not include any teaching
or suggestion of determining '°whether to accept the listing retrieved by the listing retrieval
module," but at most discloses that "an orthography can be chosen as the best possible match
with the spoken utterance." (Gupta, column 11: 63-64.) Gupta does not include any teaching or
suggestion of determining whether to accept or reject the chosen orthography, much less does
Gupta include any teaching or suggestion of determining "whether to accept the listing retrieved
by the listing retrieval module." In addition, Cox does not teach or suggest "the listing being
rejected unless the transcript contains at least one of the stored words," as is recited in exemplary
claim 1. At most, Cox discloses that "[b]y considering the collected call data, such as the
information that was provided to a caller in a previous request, a directory assistance provider
can tailor subsequent assistance to be more effective." (Cox, column 7: 64-67.) As explained
above, Cox's "collected call data," and in particular "information that was provided to a caller in
a previous request," plainly does not include "stored words" or "words previously included in
requests for telephone numbers." Further, Cox does not teach or suggest any conditions for a
listing being rejected, much less a requirement that "the transcript contains at least one of the
stored words," as is recited in Appellants' claims. In fact, Cox teaches considering "the
information that was provided to a caller in a previous request," and therefore teaches away from
considering information received from a caller, including "words previously included in requests

for telephone numbers." Moreover, Cox teaches away from using call data to obtain listings in

response to callers' requests. Cox states that: data servers 120a maintain databases containing

telephone and business directories, billing information, and other information in computer-

readable form to be searched by operators in response to callers' requests. As introduced above,

data servers 120a also store called data for later retrieval by directory assistance providers

furnishing subsequent assistance to a caller. (Cox, column 8: 18-31.) In other words, Cox does

not use the disclosed call data to respond to callers' requests for listings, but rather uses call data

to provide information to callers subsequent to requests for listings. The fact that Cox's call data

is saved on the data servers only for a predetermined period of time, (Cox, column 8: 34-35),

further illustrates that Cox does not in any way teach or suggest using such call data for requests

for listings. Thus, even if Cox's call data included "stored words" from '~requests for telephone

numbers," which it does not, Cox would still fail to teach or suggest "the listing being rejected

unless the transcript contains at least one of the stored words." Moreover, it would not have been

possible, much less likely, that one of ordinary skill in the art would have combined the directory

assistance system of Gupta with the transcription services of Kahn. In addition to providing

transcripts from human operators (Kahn, column 8:19-22), Kahn provides a written file as output

from speech recognition software, but such output is based on a "digital audio file recorded by

the current user" (Kahn, column 10: lines 49-57). The transcript and written files disclosed by

Kahn have nothing at all to do with "an audible request for a telephone number from a caller."

What the prior art of record (Gupta (6122361), Kahn (6122614), Cox et al (6754326),

Junqua et al (5799065), Sabourin et al (5987414) do teach is as follows:

Gupta (6122361) teaches an automated directory assistance system (abstract) generating

scripts from input speech (col. 6 lines 35-50) and from the input speech, generating a list of

possible matches (fig. 3, subblocks 404-406) and then sorting the list according to probability of

finding a match, and choosing the top 3 candidates that would match the input speech (Fig. 3,

subblocks 416 and 418). Gupta (6122361) does not explicitly teach generating a transcript;

however, Kahn (6122614) teaches the operator generating transcripts of the user input (Kahn

(6122614), col. 8 lines 20-40). Cox et al (6754326) teaches storing telephone information in a

database, including operator assisted information (col. 7 lines 50-63; col. 8 lines 17-34). A

combination of Gupta (6122361) in view of Kahn (6122614) in view of Cox et al (6754326)

teaches the additional step of storage of telephone call assistance information (Cox et al

(6754326), col. 7 lines 63-67). Furthermore, Gupta (6122361) teaches a large speech recognizer

(col. 8 lines 11-15) using probability statistics (col. 2 lines 28-32) with reordering and ranking

(Fig. 3, subblock 416), involving a human operator upon rejection of a match (col. 8 line 65 –

col. 9 line 3), with a training system to configure the recognition modules as using orthographies

that are configured/trained by certain utterances based on geography (col. 2 line 6-25) or as a

first pass search (col. 2 lines 45-50, and col. 12 lines 38-44), and generating transcripts based

upon a priori probabilities and histograms (Fig. 3, subblocks 408,412), including creating loose

grammars and training the transcript according to the grammar (col. 2, lines 28-32; Gupta

(6122361) teaches a three layer dictionary comprising a first layer recognition process

performing a rough calculation (col. 7 lines 34-44), and second layer rescoring stage (col. 7 lines

45-59), and a third final decision scoring stage (col. 7 lines 58-67; the multiple layer grammar of Gupta (6122361) can be construed as a loose grammar, i.e., the pass that is a "rough estimate" is equivalent to a "loose grammar" – also found in Martin (5642519), col. 25 lines 1-11, showing a multipass grammar system wherein a less accurate pass is known as a "loose" grammar). Junqua et al (5799065) teaches call recognition based upon loose grammars, grammar rules, and in particular, n-gram models (col. 7 line 60 – col. 8 line15; to be used for call recognition, col. 3 lines 25-32). Sabourin et al (5987414) teaches a method providing directory assistance (col. 1 lines 1-15) comprising receiving a request for a telephone number from a caller, spoken by the caller, including a location and listing (col. 5 lines 42-49); using large vocabulary speech recognition to recognize at least one word spoken by the caller when making the request (col. 5 lines 50-55); generating a transcript from the at least one word and using statistical information retrieval and the transcript to identify a listing corresponding to the recognized word, including using the transcript as a query into a listings database and determining whether the listing is likely to be correct (as converting the input speech request into vocal tract information and accessing the speech recognition dictionary/orthography – col. 5 lines 50-55, wherein the matching between the input speech and the orthographies are phonetically based – col. 5 lines 58-65 – and as such, teaches a transcription of the input speech to phonetic symbols (col. 12 lines 3-14), and furthermore, a link is established between a phonetic match and the listing itself – col. 6 lines 20-25, and using statistical information relating the speech recognition dictionary and the actual stored listings – col. 7 lines 9-19, and calculating probabilities if the listing is correct (col. 5 line 65 – col. 6 line 4); and providing a telephone number corresponding to the listing to the caller" as providing the telephone number of the desire entity (col. 6 lines 43-45).

Any comments considered necessary by applicant must be submitted no later than the

payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for

Allowance."

3.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Michael Opsasnick, telephone number (571)272-7623,

who is available Tuesday-Thursday, 9am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Mr. Richemond Dorvil, can be reached at (571)272-7602. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Michael N. Opsasnick/
Primary Examiner, Art Unit 2626
4/13/08